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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,582	10/23/2000	Timothy M. Harris	Harris-1	3481

7590 09/29/2003
Kyle S. Brant
5441 Fenmore Road
Indianapolis, IN 46228

EXAMINER

BROWN, TIMOTHY M

ART UNIT PAPER NUMBER

3625

DATE MAILED: 09/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SW

Office Action Summary

Application No.

09/694,582

Applicant(s)

HARRIS, TIMOTHY M.

Examiner

Tim Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-31 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-3, 8, 11-16, 21 and 24-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webber et al. (US 6,009,413) ("Webber") in view of Reilly (Reilly, C. "E-market scramble to add value for buyers" Purchasing, Vol. 128, no. 10 (June 15, 2000)) and further in view of Official Notice.**

Regarding Claims 1, 2, 8, 11, 16, 21, 24 and 30, Webber teaches an online method and system for locating vendors for an item wherein a user submits a number of item criteria (col. 4, lines 4-8; and col. 5, lines 10-13 and 29-37). Users' access to the system is restricted via a security code (col. 3, lines 55-58). Upon entry of the security code and item criteria, users are presented with a list of vendors for the item wherein the list of vendors includes read only data item data (col. 4, lines 4-8; col. 5, lines 10-13 and 29-37; and col. 5, lines 45-56). According to Webber's system, vendors are permitted to upload product data on a periodic basis (col. 3, lines 10-24 and 58-61; col. 4, lines 11-13; and col. 5, lines 6-9).

Webber does not expressly teach providing chemical compound data information relating to chemical products that are available for sale. However, Reilly teaches an

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online system for sourcing chemicals wherein a user is permitted to submit chemical requirements including the product they are seeking, the quantity, purity (p. 3-4). Reilly also teaches permitting the user to select the chemical suppliers that are to provide chemical product data (Id.). At the time of Applicant's invention, it would have been obvious to one of ordinary skill in the art, to modify Webber to include the teachings of Reilly. This combination would enable Webber's system to be applied to the procurement of chemicals. Moreover, allowing users to select the suppliers that are to provide chemical data would enable users to select suppliers with whom the users have had prior dealings.

Webber and Reilly do not expressly teach exchanging information for a specific lot. However, the Examiner takes Official Notice that exchanging information regarding the purchase of a specific lot of commodity or raw material is old and well known in the art. At the time of Applicants' invention, it would have been obvious to one of ordinary skill in the art to modify Webber and Reilly to include exchanging information for a specific lot in order to provide for the procurement of commodities which vary in quality and composition.

Regarding Claims 3 and 31, Webber, Reilly and Official Notice teach all the limitations discussed under Claims 1, 2, 11, 16, 24 and 30. Webber and Reilly do not expressly teach accessing a server system via the Internet. However, the Examiner takes Official Notice that performing data exchange over the Internet is old and well known in the art. Therefore, at the time of Applicant's invention, it would have been obvious to one of ordinary skill in the art, to modify Webber and Reilly to include

accessing a server system via the Internet in order to provide a widely available communication means thereby increasing the potential number of users.

Regarding Claims 12, 13, 25 and 26, Webber, Reilly and Official Notice teach all the limitations discussed under Claims 1, 2, 11, 16, 24 and 30. Webber and Reilly do not expressly teach receiving the name of the purchase of a specific lot, receiving the chemical compound history tracking request, and generating a tracking history request for the chemical compound. However, the Examiner takes Official Notice that assessing the source of a commodity in making a purchasing decision is old and well known in the art of materials procurement. Assessing the source of a commodity enables purchasers to assess the quality of materials. Therefore, at the time of Applicants' invention, it would have been obvious to one of ordinary skill in the art, to modify Webber and Reilly to include receiving the name of the purchase of a specific lot, receiving the chemical compound history tracking request, and generating a tracking history request for the chemical compound.

Regarding Claims 14, 15, 27-29, Webber and Reilly teach all the limitations discussed under Claims 1, 2, 11, 16, 24 and 30. Webber and Reilly do not expressly teach receiving reservation data, storing reservation data, and sending an electronic confirmation message to a user. However, the Examiner takes Official Notice that reserving an item or service, in connection with an online transaction, and receiving a confirmation of such a reservation is old and well known in the art. Therefore, at the time of Applicants' invention, it would have been obvious to one of ordinary skill in the art, to modify Webber and Reilly to include teach receiving reservation data, storing

reservation data, and sending an electronic confirmation message to a user. This combination would enable a user to receive an assurance that a bargain has been completed such that the user will not have to seek performance of the bargain from another party.

4. Claims 4-7, 9, 10, 17-20, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webber in view of Reilly, Official Notice and Savage (Savage, E. V. "In It's Infancy: E-Commerce in Asia" Chemical Market Reporter, Vol. 257, no. 16 (April 17, 2000)).

Regarding Claims 4, 9, 10, 17, 22 and 23, Webber, Reilly and Official Notice teach all the limitations discussed under Claims 3 and 16. Webber, Reilly and Official Notice do not expressly teach receiving an electronic COA, and electronically displaying said COA in printable format. However, Savage teaches an online method and system for providing chemical products including providing certificates of analysis, material safety data sheets and health and safety environmental data (p. 1). At the time of Applicant's invention, it would have been obvious to one of ordinary skill in the art, to modify Webber, Reilly and Official Notice to include receiving an electronic COA, and electronically displaying said COA in printable format in order to provide user with detailed product information thereby enabling users to make informed purchasing decisions.

Regarding Claims 5 and 18, Webber, Reilly and Official Notice teach all the limitations discussed under Claims 4 and 17. Webber, Reilly and Savage do not expressly teach receiving critical contaminants data from said users concerning

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contaminants of particular interest, and sorting said chemical compound lots. However, the Examiner takes Official Notice that taking chemical contaminants into consideration, when procuring chemicals for industrial uses, and ranking sources of chemicals according to the chemical contaminants, is old and well known in the materials procurement art. Therefore, at the time of Applicants' invention, it would have been obvious to one of ordinary skill in the art, to modify Webber, Reilly and Official Notice to include receiving critical contaminants data from said users concerning contaminants of particular interest, and sorting said chemical compound lots. This combination would enable users to obtain the best possible source for chemical compounds when users have a special use for said chemical compound.

Regarding Claims 6 and 19, Webber, Reilly, Official Notice and Savage teach all the limitations discussed under Claims 5 and 18. Webber, Official Notice and Savage do not expressly teach sending electronic messages to said users concerning receipt of additional chemical compound lot specification data. However, Reilly teaches an online method for the procurement of chemicals wherein a purchaser is permitted to electronically exchange information with a selected chemical supplier (p. 3-4). At the time of Applicants' invention, it would have been obvious to one of ordinary skill in the art, to modify Webber, Official Notice and Savage to include the teachings of Reilly in that sending electronic messages to said users concerning receipt of additional chemical compound lot specification data would enable users to finalize the procurement of chemical compounds.

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Regarding Claims 7 and 20, Webber, Reilly, Official Notice and Savage teach all the limitations discussed under Claims 6 and 19. Webber, Reilly and Savage do not expressly teach sending electronic e-mail messages. However, the Examiner takes Official Notice that transmitting transaction data via e-mail is old and well known in the Internet commerce art. Therefore, at the time of Applicants' invention, it would have been obvious to one of ordinary skill in the art, to modify Webber, Reilly and Savage to include sending electronic e-mail messages in order to provide a convenient and widely accepted means of communication.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. Giovannoli (US 5,758,328) 26 May 1998, Computerized quotation system and method
- b. Karpinski, R. "B-to-b bargain hunting" B to B, Vol. 85, p. 6 (September 25, 2000)
- c. Hickey, K. "Chemical Portal" Traffic World, Vol. 261, no. 8 (February 21, 2000) p. 19

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Brown whose telephone number is (703) 305-1912. The examiner can normally be reached on Monday - Friday, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (703) 308-1344. The fax phone numbers

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for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Tim Brown
Examiner
Art Unit 3625

TB
September 22, 2003

Alexander R. Kowalski
ALEXANDER KOWALSKI
AU 3626
PATENT EXAMINER